

FACSIMILIE COVER SHEET

Sandia National Laboratories

From John P. Hohimer, MS 0161
Patent and Licensing Center 11500
Albuquerque, New Mexico 87185-0161
voice: 505-844-4007; fax: 505-844-1418

#15/11/11
11/21/31
Surler

Date: November 19, 2003

To: Examiner Matthew Warren, Group 2815

FAX No. (703) 308-7382

SUBJECT: Notice of Appeal for Serial No. 09/ 871,492

Enclosed is a copy of the Notice of Appeal that I submitted to the PTO on September 17, 2003.

I have also enclosed a copy of our deposit account statement for September 2003 which shows that the \$320 Notice of Appeal fee and a \$110 One-Month Extension of Time fee for this case Docket No. 39943/PAN/C715 were deducted from our deposit account no 19-0131 on September 24, 2003.

There are 6 pages including this cover sheet.

Sincerely,



John P. Hohimer
Patent Attorney
Reg. No. 39,226

FAX RECEIVED

NOV 19 2003

TECHNOLOGY CENTER 2800

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PATENT
39943/PAN/C715IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choquette et al. Group No.: 2815
Serial No.: 09/ 871,492 Examiner: Warren, M.
Filed: May 31, 2001
For: Long Wavelength Vertical Cavity Laser

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 1.191)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 29, 2003 finally rejecting claims 1-23.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

X other than a small entity \$320.00

Notice of Appeal fee due \$ 320.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) X A Response After Final Action was filed on July 15, 2003.

X An Advisory Action was mailed August 20, 2003.

(b) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

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Group No.: 2815
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	<u>Extension (months)</u>	<u>Fee for other than small entity</u>
<u>X</u>	one month	\$ 110.00
<u>—</u>	two months	\$ 390.00
<u>—</u>	three months	\$ 890.00
<u>—</u>	four months	\$1,390.00

If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$ 110.00

or

(c) — Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 320.00

Extension fee (if any) \$ 110.00

TOTAL FEE DUE \$ 430.00

5. FEE PAYMENT

X Charge Account No. 19-0131 the sum of \$ 430.00.

A duplicate of this transmittal is attached.

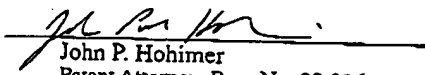
6. FEE DEFICIENCY

X Charge Account No. 19-0131 if any additional extension and/or fee is required.

Respectfully submitted,

Dated: September 16, 2003

Phone: (505) 844-4007
FAX: (505) 844-1418


John P. Hohimer
Patent Attorney, Reg. No. 39,226
Sandia National Laboratories
Patent & Licensing Center, MS 0161
P. O. Box 5800
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ 37 CFR 1.8(a)

With sufficient postage as first class mail

OR

☐ 37 CFR 1.10

As "Express Mail Post Office to Addressee"

Mailing Label No. _____

MARY LOUKOTA
(Type or print name of person mailing paper)

Dated: 9/17/03

Mary Loukota
(Signature of person mailing paper)



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Deposit Account Statement

Requested Statement Month: September 2003
 Deposit Account Number: 190131
 Name: SANDIA NATIONAL LABORATORIES
 Attention: MARY LOUKOTA MS-0161
 Address: P.O. BOX 5800
 City: ALBUQUERQUE
 State: NM
 Zip: 87185-0161

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/02	138	10608655	SD-7203/S-99,827	8021	\$40.00	\$115,828.00
09/03	366	10165824 6295		8021	\$40.00	\$115,788.00
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09/05	2	6035246 5481.2		1551	\$890.00	\$113,598.00
09/08	136	60500275	SD-7301/S100,358	1005	\$160.00	\$113,438.00
09/09	10	E-REPLENISHMENT		9203	\$30,000.00	\$143,438.00
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09/09	164	10655466	SD-7153.1	1201	\$84.00	\$266,304.00
09/09	165	10655466	SD-7153.1	1202	\$216.00	\$266,088.00
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09/09	222	09734622	SD6431/S92411	8021	\$40.00	\$266,008.00
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09/10	75	10600008	SD7357/S100432	1051	\$130.00	\$264,538.00
09/10	106	10656357	SD-7285 S-100,340	1001	\$750.00	\$263,788.00
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09/12	2	09952940	SD6899?	1251	\$110.00	\$262,060.00
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09/12	106	60501879 7106		1005	\$160.00	\$261,894.00
09/12	110	06580486		8001	\$3.00	\$261,891.00
09/12	112	06515740	JPH	8001	\$3.00	\$261,888.00
09/12	128	10025446	SD-7075/9864	1501	\$1,300.00	\$260,588.00

09/12 197	10025510	SD6350.1/S92	1251	\$110.00?	\$260,478.00
09/12 1053	10108950	SD-6795/S-96449	8021	\$40.00	\$260,438.00
09/15 70	10448946	7028.1	1051	\$130.00	\$260,308.00
09/16 38	10661237	6909.1/97535	1001	\$750.00	\$259,558.00
09/17 8	6046426 5608	27984	1551	\$890.00	\$258,668.00
09/17 41	10606526 6842		8021	\$40.00	\$258,628.00
09/17 135	10661968	SD6969.2/S103411	1001	\$750.00	\$257,878.00
09/17 136	10661968	SD6969.2/S103411	1201	\$252.00	\$257,626.00
09/17 137	10661968	SD6969.2/S103411	1202	\$756.00	\$256,870.00
09/22 107	10641860 7229		8021	\$40.00	\$256,830.00
09/23 1	09873078	SD6728/S9555	1814	\$110.00?	\$256,720.00
09/24 41	10167238	SD6805/S96463	1501	\$1,300.00	\$255,420.00
09/24 42	10665266	SD-6398.1	1001	\$750.00	\$254,670.00
→ 09/24 91	09871492	39943/PAN/C7	1251	\$110.00?	\$254,560.00
→ 09/24 92	09871492	39943/PAN/C7	1401	\$320.00?	\$254,240.00
09/24 197	10463058	6919.1/97549	1051	\$130.00	\$254,110.00
09/24 261	09547966	SD-6398/S-92	1501	\$1,300.00	\$252,810.00
09/24 333	09678418	SD6474/S93707	1501	\$1,300.00	\$251,510.00
09/25 49	PAYMENT		9203	-\$6,000.00	\$257,510.00
09/29 2	E-REPLENISHMENT		9203	-\$1,520.00	\$259,030.00
09/29 3	E-REPLENISHMENT		9203	-\$50,000.00	\$309,030.00
09/29 5	10000930	SD6397/S9238	1201	\$84.00?	\$308,946.00
09/29 10	10668536	SD-7146	1001	\$750.00	\$308,196.00
START		SUM OF	SUM OF	END	
BALANCE		CHARGES	REPLENISH	BALANCE	
\$115,868.00		\$20,192.00	\$212,520.00	\$308,196.00	

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